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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/886,046	06/22/2001	Carol Shifrin Gruchala	P20144.P05	5443
7055	7590	03/08/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			UBILES, MARIE C	
			ART UNIT	PAPER NUMBER
			2642	
DATE MAILED: 03/08/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/886,046

**Applicant(s)**

GRUCHALA ET AL

**Examiner**

Marie C. Ubiles

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11/18/2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 15-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's After Final amendment filed on November 18, 2004 has been entered. No claims have been amended. Claims 1-14 have been cancelled. Claims 15-28 have been added. Claims 15-28 are still pending in this application, with claims 15, 24 and 27 being independent.

Applicant's argument regarding the Examiner improperly applying newly introduced reference FCC CC Docket No. 92-105 on a final rejection is accepted and thus the final rejection from Office Action mailed 8/20/2004 is withdrawn.

### ***Claim Rejections - 35 USC § 103***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 15-17 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over FCC CC Docket No. 92-105, hereinafter incorporated by reference.

As for claim 15, FCC '105 discloses a method for routing a call to a telecommunications relay service center (or relay), the call initiated in response to a calling party (or caller) inputting a universal telephone number (or 711) into a communications device, the method comprising, establishing a communications connection between the communications device and the telecommunications relay service (See Page 62, lines 16-25).

Further, FCC '105 discloses forwarding a charge number (or consumer's carrier of choice) to the telecommunications relay service center (See Page 20, lines 9-16 and Page 91, line 10 through Page 92, line 15).

FCC '105 teaches that a representative from AT&T addressed the necessity of feature Group D-type connectivity to the LEC access tandem, as that's the preferred way for their company to handle carrier-of-choice calls today.

Therefore, it would have been obvious to one of ordinary skill in the art to establish a connection between a communications device (as read on "connectivity to the LEC access tandem", since the caller will need to connect through the LEC or switch and from there to the TRS) and the telecommunications relay service center and forwarding a charge number "over a signaling system 7 (SS7) feature D trunk line"; as motivated by AT&T's representative explanation of how they handle their carrier-of-choice calls.

As for claims 16, FCC '105 discloses ascertaining a toll free telephone number in response to the input universal telephone number, the toll free telephone number corresponding to the telecommunications relay service center (See Page 62, lines 16-18).

The limitations of claim 17 reads on the teachings of FCC '105 regarding a communications assistant of the relay service center having access to the consumer's carrier of choice in the consumer's profile. Further, FCC '105 teaches that the technology should be in place to allow consumers the capability to change the carrier on a call-by-call basis, thus it would have been obvious to one of ordinary skill that once

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the consumer or caller decides to change his or her carrier of choice (or charge number), the information will be updated on the consumer's or caller's profile. Further, if the carrier-of-choice connection is performed on a "per-call basis", then it would have been obvious to one of ordinary skill to update information on the customer's profile; so as to provide the calling assistant, in future call handling, with ready access to the consumer's or caller's carrier-of-choice picks. (See Page 20, lines 9-16 and Page 91, lines 14-22).

Claims 27 and 28 are rejected for the same reasons as claims 15 and 16; the limitations in those claims are directed to software capable of executing the method of claims 15 and 16.

4. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over FCC CC Docket No. 92-105, as applied to claims 15-17 above, in view of Morrissey et al. (US 5,524,146) and further in view of Peltz (August 1999).

Morrissey et al. teaches "The present service could be implemented with one or more ISCP's per state, to avoid overloading existing CCIS data links. Alternatively, the ISCP could be implemented on a LATA by LATA basis or on a regional operating company, i.e. one data base for the entire geographic area serviced by one of the Regional Bell Operating Companies." (See Best Mode, Col. 9, lines 19-24).

Peltz further teaches "Common carriers are required under Title IV of the Americans Disabilities Act (ADA) to provide TRS throughout their calling areas. For the most part, they fulfill this obligation through state-operated TRS programs. Each of the

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50 states and United States territories have independently developed these programs, resulting in a myriad of 7 to 11 digit relay telephone numbers across the nation. This has made access to TRS difficult, if not impossible, when relay callers travel across state border. Use of the 7-1-1 code simplifies access to TRS [...] Commenters to the Commission's NPRM on this subject reported that routing all 711 calls from a subscriber's telephone to the subscriber's preferred TRS provider can be accomplished through a database query initiated by an Advanced Intelligent Network (AIN). The query response would contain an 800 routing number that would correspond to the relay user's pre-selected provider..." (See Page 2, P. 3 and Page 5, P. 2).

It would have been obvious to one of ordinary skill in the art at the time the invention to modify FCC CC Docket No. 92-105 system, with the step of having the SCP identifying the originating state of the caller and forwarding the call to an appropriate TRS center for the originating state as per the teachings of both Morrissey et al. and Peltz; thus in this manner making possible to telecommunication service providers (or common carriers) to provide a relay caller with a simpler way to call the TRS center when traveling across state lines and using several toll-free numbers (or charge numbers, as these 800 numbers are associated with subscriber's preferred TRS provider) per state to avoid overloading the existing data links.

5. Claims 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over FCC CC Docket No. 92-105, as applied to claims 15-17, and further in view of Keating et al. (September 1998).

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As for claims 20-22, Keating et al. teaches "...all incoming emergency relay calls should be processed through an automated database system that matches the TRS callers automatic information ("ANI") with the appropriate emergency number in his or her area. [...] share database information, including ANI and automatic location information ("ALI")... Sharing database information with TRS providers will permit CAs [calling assistants] to quickly access a caller's ANI/ALI and to forward the information to the appropriate emergency PSAP." (See Page 2, P. 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify FCC '105, as applied to 15-17, by adding the step of displaying at the TRS center: user identifying information and location of the calling party, as taught by Keating et al.; and thus in this manner provide the TRS center with an efficient manner to handle emergency calls to a TRS center. The Examiner further adds, it is well known that emergency calls made by a calling party are counted in order to keep a log of how the emergency situation was handled, keeping track of amount of calls made are also used for billing purposes.

Further, it is obvious from the ability of a calling assistant to retrieve caller's ANI/ALI information from a share database; that "memory and graphical displays that display identifying information" means should exist.

As for claim 23, it is well-known in the art that for ethical reasons the only information -made into a TRS center- that can be stored in memory is the one used for planning and billing purposes, the only time when this rule is waived is during emergency situations.

6. Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over FCC CC Docket No. 92-105, as applied to claims 15-17, in view of Breslin (August 1999).

Claim 24 is rejected for the same reasons as claim 15. However, while claim 15, discussed how the communications device and the relay service center are connected through the LEC (local exchange carrier), it lacks a "service switching point that establishes a communications connection...", "the service switching point forwarding a charge number" and "a service control point that communicates with service switching point, the service switching point translating the universal telephone number into a telephone number corresponding to the...relay service center".

However, FCC '105, introduces the question of how to implement the system in an AIN system (See, for example, Page 58, lines 1-6).

As for claims 24 and 25, Breslin teaches "Bell Atlantic chose Advanced Intelligent Network (AIN) technology to provide 7-1-1 access because of cost and functionality. The AIN Integrated Service Control Point (ISCP) contains service logic that responds to queries from the switches. The use of AIN enables the 800 number for each state to be programmed into an ISCP based on the Numbering Plan Area (NPA) of the calling party. Because of Bell Atlantic's success with the AIN deployment of 7-1-1 dialing in Maryland, AIN is being used to provide 7-1-1 service to Bell Atlantic's remaining states and jurisdictions [...] The Commission should find that TRS providers are obligated to provide access to the customer's carrier of choice so that everyone – including Relay

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users – can benefit from being able to choose from all of the calling plans and services available to them in a competitive marketplace” (See Page 1, P. 5).

Further, Breslin teaches the use of a service control point (or ISCP) communicating with an SSP (as read on “queries from the switches”) for translating the universal dialed number (or 711) into a toll free number (or 800 number) corresponding to a TRS center.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify FCC '105 system, by providing a universal number that can be translated to a toll free telephone number of a telecommunications relay service center comprising to an ANI or a charge number (as read on calling plan) of the communications device as taught by Breslin; thus in this manner making it easier to a person with disabilities to contact a TRS with easy dialing of a N11 (or 711) type code number, but also provide access to the customer's carrier of choice (or charge number). As taught by Breslin, the AIN enables the 800 number for each state to be programmed into the SCP, thus it would have been to determine the originating state of the call by means of this number and efficiently routing the call to the service relay center that serves the identified state.

As for claim 26, it is inherent that the TRS may be able to identify the communication device based on the received ANI information (See FCC' 105, Page 37, line 24 through Page 38, line 1).

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***Response to Arguments***

7. Applicant's arguments with respect to claims 15-28 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marie C. Ubiles whose telephone number is (703) 305-0684. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marie C. Ubiles  
February 5, 2005.



**BING Q. BUI**  
**PRIMARY EXAMINER**